UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,349	10/14/2005	Hiroaki Zaima	0033-1033PUS1	2096

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EXAMINER
RUTLEDGE, AMELIA L

ART UNIT	PAPER NUMBER
2176	

NOTIFICATION DATE	DELIVERY MODE
04/15/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>13 February 2009</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>14-16,20-25,37-44,49 and 50</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>14-16,20-25,37-44,49 and 50</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>14 October 2005</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>10/14/2005; 08/31/2007; 08/28/2008; 09/22/2008</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to the following communications: original application,

filed 10/14/2005; Information Disclosure Statements, filed 10/14/2005; 08/31/2007;

08/28/2008; 09/22/2008; Response to Election/Restriction, filed 02/13/2009.

2.   Claims 14-16, 20-25, 37-44, 49, and 50 are pending. Claims 14, 16, 20, and 43

are independent claims.

Election/Restrictions

Applicant's election without traverse of Group II, claims 14-16, 20-25, 37-44, and

49-50 in the reply filed on 02/13/2009 is acknowledged.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

Claim 44 is rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Regarding independent claim 44, claim *a program product for causing a*

computer to execute a data display method comprising the steps of.... Claim 44 is non-

statutory because it is directed to the program itself, rather than a process occurring as

a result of executing the program, a machine programmed to operated in accordance

with the program nor a manufacture structurally and functionally interconnected with the

program in a manner which enables the program to act as a computer component and

realize its functionality. It is also not directed to a composition of matter, therefore,

claim 19 is non-statutory under 35 USC 101.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14-16, 20-25, 37-44, 49, and 50 are rejected under 35 U.S.C. 102(b) as

being anticipated by Kanevsky, U.S. Patent No. 6,300,947 B1, issued October

2001.

Regarding independent claim 14, Kanevsky teaches *a document data display*

device comprising: a receiving unit receiving, from another device, document data that

includes at least one of a text portion, a graphics portion and an image portion and

further includes layout information therefor; and a display unit displaying said document

data in accordance with said layout information. Kanevsky teaches a system and

method for compressing or expanding document data based on the size of a document

display device (col. 1, l. 56-col. 3, l. 67). Kanevsky teaches lossless and lossy

compressed text and image portions, because Kanevsky teaches semantic adaptation

of web text and icons to fit them into adapted web screens, to either add or remove data

based on priority (col. 15, l. 1-col. 16, l. 29; col. 16, l. 37-67). Kanevsky teaches laying

out text, graphics, and images (col. 15, l. 11-col. 16, l. 59).

Regarding dependent claim 15, Kanevsky teaches a display scaling factor

determination unit determining a display scaling factor for said document data based on

a character size that allows display and on character size information included in said

document data (Fig. 6).

Regarding independent claim 16, Kanevsky teaches a document data display

device comprising: a document data combining unit combining a plurality of divided

document data segments into one original document data set; and a display unit

displaying said divided document data segments as the one document data set (Fig. 7).

Regarding independent claim 20, Kanevsky teaches *a document data output*

device, comprising: an output unit outputting document data, said document data

including area data information regarding at least one of a character area, a graphics

area and an image area and further including layout information for said area; because

Kanevsky teaches semantic adaptation of web text and icons to fit them into adapted

web screens, to either add or remove data based on priority (col. 15, l. 1-col. 16, l. 29;

col. 16, l. 37-67). Kanevsky teaches laying out text, graphics, and images (col. 15, l. 11-

col. 16, l. 59).

Kanevsky teaches *an output control unit controlling output of said document data*

at said output unit based on said area data information and said layout information

included in said document data, and on attribute information about said output unit;

because Kanevsky teaches a web page adaptor server to provide transformations of

web pages having layout and attribute information (col. 7, l. 10-56).

Regarding dependent claim 21, Kanevsky teaches *wherein said output control*

unit further includes a scaling factor changing unit deciding and changing an output

scaling factor for said document data at said output unit based on said area data

information and said layout information included in said document data and on said

attribute information, because Kanevsky teaches scaling the output based on device

type and size (Figs. 5, 6; col. 9, l. 46-col. 10, l. 65).

Regarding dependent claim 22, Kanevsky teaches *wherein said output control*

unit controls said output unit to output an area depending on said area data information

included in said document data to be replaced by a graphic or an image based on said

output scaling factor determined by said scaling factor changing unit said document

data and said attribute information, because Kanevsky teaches an icon transformation

module to perform transformations on icons to fit them into adapted screens (Fig. 5, Fig.

6; Fig. 12; Fig. 14; col. 15, l. 38-col. 16, l. 29).

Regarding dependent claim 23, Kanevsky teaches *wherein said output control*

unit further includes an output region changing unit deciding and changing an output

region for said document data at said output unit based on said layout information,

because Kanevsky teaches scaling the output based on device type and size (Figs. 5,

6; col. 9, l. 46-col. 10, l. 65).

Regarding dependent claim 24, Kanevsky teaches *wherein said output control unit controls said output unit to output an area depending on said area data information included in said document data replaced by a graphic or an image to be output, using said layout information*, because, for example, Kanevsky teaches an icon transformation module to perform transformations on icons to fit them into adapted screens (Fig. 5, Fig. 6; Fig. 12; Fig. 14; col. 15, l. 38-col. 16, l. 29).

Regarding dependent claim 25, Kanevsky teaches *wherein said output control unit further includes a character size determination unit determining a character size for output at said output unit from among a plurality of available character sizes included in said attribute information in accordance with a character size of a character included in said character area, when said output unit, outputs the document data including said area data information regarding said character area*, because Kanevsky teaches textual operations on web pages to adapt them to a new size, including font changes (col. 15, l. 12-37).

Regarding dependent claim 37, Kanevsky teaches *wherein said character size determination unit determines, as a character size for output at said output unit, a character size smaller than a character size of a character included in said character area or a character size determined from said calculated output scaling factor*, because Kanevsky teaches textual operations on web pages to adapt them to a new size, including font changes (col. 15, l. 12-37).

Regarding dependent claim 38, Kanevsky teaches *wherein said layout*

information includes information regarding a character size and position of a character

included in said character area, and

said output control unit further includes a character size determination unit

calculating an output scaling factor for said document data at said output unit based on

said area data information and said layout information included in said document data

and on said attribute information to determine a character size and position for output at

said output unit based on said calculated output scaling factor, because Kanevsky

teaches textual operations on web pages to adapt them to a new size, including font

changes (col. 15, l. 12-37).

Regarding dependent claim 39, Kanevsky teaches *wherein said character size*

determination unit determines, as a character size for output at said output unit, a

character size smaller than a character size of a character included in said character

area or a character size determined from said calculated output scaling factor, because

Kanevsky teaches textual operations on web pages to adapt them to a new size,

including font changes and zoom (col. 15, l. 12-37).

Regarding dependent claim 40, Kanevsky teaches *wherein said*

layout information includes information regarding a character size and position of a

character included in said character area, and

said output control unit calculates an output scaling factor for said document data

at said output unit based on a character size of said layout information and an available

character size included in said attribute information to control said output unit to output

said character at a position included in said layout information in an available character size corresponding to said calculated output scaling factor, because Kanevsky teaches textual operations on web pages to adapt them to a new size, including font changes and zoom (col. 15, l. 12-37) as well as fitting text to a different screen size (col. 16, l. 11-29).

Regarding independent claim 43, Kanevsky teaches *a method of outputting document data at a document data output device, comprising the steps of: storing document data in a storage unit of said document data output device, the document data including at least one of a character area, a graphics area and an image area and further including data of said area and layout information about said area*; Kanevsky teaches a system and method for storing, compressing and/or expanding document data based on the size of a document display device (col. 1, l. 56-col. 3, l. 67). Kanevsky teaches compressed text and image portions and areas, because Kanevsky teaches semantic adaptation of web text and icons to fit them into adapted web screens, to either add or remove data based on priority (col. 15, l. 1-col. 16, l. 29; col. 16, l. 37-67).

Kanevsly teaches *outputting the document data at an output unit of said document data output device; and*

controlling output of said document data at said output unit based on at least one attribute information set stored in an attribute information storage unit of said document data output device storing one or more attribute information set(s) about said output unit, and on said document data stored in said storage unit. Specifically, Kanevsky

teaches laying out text, graphics, and images (col. 15, l. 11-col. 16, l. 59). Kanevsky

teaches storing attribute information about the output unit or device, and on the

document data (col. 7, l. 10-col. 8, l. 43). Kanevsky teaches a matching module to

match web page data, if available, to the device (col. 9, l. 6-45).

Regarding independent claim 44, claim 44 is directed to the program product

causing a computer to execute the method as claimed in independent claim 43, above,

and is rejected along the same rationale.

Regarding dependent claims 49 and 50, Kanevsky teaches a cell phone

device including the document data display device according to claims 14 and 16, at

col. 5, l. 5-19.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Kanevsky in view of Fujiwara, U.S. Patent No. 6,885,768 B2, issued April

2005.

Regarding dependent claim 41, Kanevsky teaches a character generation unit

but does not explicitly teach *generating a character in an arbitrary character size,*

wherein said output control unit controls said output unit to output the character in said

arbitrary size generated by said character generation unit in accordance with at least a

character size of a character included in said character area and, as necessary, an

output scaling factor for said document data at said output unit if document data is to be

output including area data information regarding said character area at said output unit.

However, Fujiwara teaches a unit for generating a character in arbitrary size, and an

output scaling factor for document data including area data information (Figs. 8, 10B;

col. 2, l. 20-col. 3, l. 2; col. 11, l. 2-30).

Both Kanevsky and Fujiwara are directed to document layout, and it would have

been obvious to apply the unit for generating a character in an arbitrary size disclosed

by Fujiwara to the system for compressing document data based on display device and

size disclosed by Kanevsky, since Fujiwara discloses modification of the invention (col.

11, l. 27-40), and the same methods could be applied to any electronic document

having character regions, such as the documents converted by Kanevsky, and since

Kanevsky disclosed changing font sizes and zooming, it would have been obvious and

desirable to combine the two units.

Regarding dependent claim 42, Kanevsky teaches a character generation unit

but does not explicitly teach *generating a character in an arbitrary character size; and a*

used character determination unit determining a character to be output at said output

unit from among said character in said arbitrary character size generated by said

character generation unit and an available character included in said attribute

information in accordance with a character code or a character size. However, Fujiwara

teaches a unit for generating a character in arbitrary size, determining used characters

because Fujiwara teaches character regions and unused areas (col. 8, l. 6-54), and an output scaling factor for document data including area data information (Figs. 8, 10B; col. 2, l. 20-col. 3, l. 2; col. 11, l. 2-30).

Both Kanevsky and Fujiwara are directed to document layout, and it would have been obvious to apply the unit for generating a character in an arbitrary size disclosed by Fujiwara to the system for compressing document data based on display device and size disclosed by Kanevsky, since Fujiwara discloses modification of the invention (col. 11, l. 27-40), and the same methods could be applied to any electronic document having character regions, such as the documents converted by Kanevsky, and since Kanevsky disclosed changing font sizes and zooming, it would have been obvious and desirable to combine the two units.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMELIA RUTLEDGE whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amelia Rutledge/
Examiner, Art Unit 2176